

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 20-1813V
Filed: February 4, 2022

On February 4, 2022, Respondent filed his Rule 4(c) Report in which he concedes that Petitioner is entitled to compensation in this case. Resp't's Rep. at 2, 9, ECF No. 26. Specifically, Respondent states that Petitioner

had no history of pain, inflammation, or dysfunction of the affected shoulder prior to her vaccination that would explain the alleged symptoms and examination findings occurring after vaccine injection; she more likely than not suffered the onset of pain within forty-eight hours of vaccine administration; her pain and reduced range of motion were limited to the shoulder in which the vaccine was administered; and there is no other condition or abnormality present that would explain petitioner's symptoms. 42 C.F.R. § 100.3(a)(XIV)(B), (c)(10). Therefore, petitioner is entitled to a presumption of vaccine causation.... Thus, in light of the information contained in petitioner's medical records, respondent concedes that entitlement to compensation is appropriate under the terms of the Vaccine Act.

Id. at 8-9.

In view of Respondent's position and the evidence of record, I find that Petitioner is entitled to compensation. A separate order for the damages phase of this case will issue shortly.

IT IS SO ORDERED.

s/ Katherine E. Oler
Katherine E. Oler
Special Master